

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	2:13-CR-398-APG-(GWF)
)	
MARK ANTHONY NEWTON,)	
)	
Defendant.)	

On September 22, 2014, the United States District Court for the District of Nevada entered a Preliminary Order of Forfeiture pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2); Title 18, United States Code, Section 924(c)(1)(A); and Title 18, United States Code, Section 924(d)(1), (2)(C), and (3)(A) and Title 28, United States Code, Section 2461(c) based upon the plea of guilty by defendant MARK ANTHONY NEWTON to the criminal offenses, forfeiting the property set forth in the Forfeiture Allegations of the Criminal Indictment and shown by the United States to have the requisite nexus to the offenses to which defendant MARK ANTHONY NEWTON pled guilty. Criminal Indictment, ECF No. 1; Change of Plea, ECF No. 42; Preliminary Order of Forfeiture, ECF No. 44.

This Court finds the United States of America published the notice of forfeiture in accordance with the law via the official government internet forfeiture site, www.forfeiture.gov, consecutively from September 24, 2014, through October 23, 2014, notifying all potential third parties; and notified known third parties by personal service or by regular mail and certified mail return receipt requested, of their right to petition the Court. Notice of Filing Proof of Publication, ECF No. 45.

1 On September 23, 2014, the United States Attorney's Office attempted to serve Ercell F.
2 Stubbs, with copies of the Preliminary Order of Forfeiture and the Notice through regular and certified
3 mail, return receipt requested. Internet and database searches in October 2014, by the Federal Bureau
4 of Investigation and the United States Attorney's office for the District of Nevada, revealed that Ercell
5 F. Stubbs died on July 5, 1999. Notice of Filing Service of Process – Mailing, ECF No. 46.

6 This Court finds no petition was filed herein by or on behalf of any person or entity and the
7 time for filing such petitions and claims has expired.

8 This Court finds no petitions are pending with regard to the assets named herein and the time
9 for presenting such petitions has expired.

10 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that all right,
11 title, and interest in the property hereinafter described is condemned, forfeited, and vested in the
12 United States of America pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B); Fed. R. Crim. P.
13 32.2(c)(2); Title 18, United States Code, Section 924(d)(1), (2)(C), and (3)(A) and Title 28, United
14 States Code, Section 2461(c); and Title 21, United States Code, Section 853(n)(7) and shall be
15 disposed of according to law:

- 16 1. a Jennings Bryco .25 caliber semi-automatic handgun bearing serial number
17 233077; and
18 2. any and all ammunition.

19 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any and all forfeited funds,
20 including but not limited to, currency, currency equivalents, certificates of deposit, as well as any
21 income derived as a result of the United States of America's management of any property forfeited
22 herein, and the proceeds from the sale of any forfeited property shall be disposed of according to law.

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1 The Clerk is hereby directed to send copies of this Order to all counsel of record and three
2 certified copies to the United States Attorney's Office.

3 DATED this 24th day of March, 2015.

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8 UNITED STATES DISTRICT JUDGE
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